



County of Los Angeles CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://ceo.lacounty.gov>

DAVID E. JANSSEN
Chief Executive Officer

July 17, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: AS-NEEDED ENVIRONMENTAL
LABORATORY SERVICES
ALL SUPERVISORIAL DISTRICTS
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the contract work is exempt from the provisions of the California Environmental Quality Act.
2. Award the contracts for As-Needed Environmental Laboratory Services in an annual aggregate sum not-to-exceed \$1,500,000 to American Environmental Testing Laboratory, Inc., located in Burbank, California, and to Sierra Analytical Labs, Inc., located in Laguna Hills, California. These contracts will be for a term of two years commencing on August 3, 2007, with three 1-year renewal options, not-to-exceed a total of five years.
3. Authorize Public Works to annually expend up to an additional 25 percent of the annual contract sum for unforeseen, additional work within the scope of work of the contract, if required.
4. Authorize the Director of Public Works to execute and to renew these contracts for each additional renewal option if, in the opinion of the Director, the contractors have satisfactorily performed during the previous contract period and the services are still required; to approve contractor's entity change in accordance with the Board's policy on contractor mergers/acquisitions; to approve and execute amendments to incorporate

Board of Supervisors
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Fifth District

necessary changes within the scope of work; and to suspend work under either or both of the contracts if, in the opinion of the Director, it is in the best interest of the County to do so.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

These contracts are for as-needed stationary and/or mobile laboratory services for environmental soil and/or groundwater testing at various County sites. The work to be performed will consist of sampling and analyzing drinking water, wastewater, groundwater, stormwater runoff, hazardous waste, and soils including organic and inorganic testing. Public Works has contracted for these services since 1997. The purpose of this action is to continue contracting for these services.

The contractors have the specific resources including equipment, instrumentation, trained personnel, and systems to provide comprehensive and responsive analytical laboratory support. These contractors are certified by the California Department of Health Services as environmental testing laboratories, and each has a mobile laboratory capable of meeting our field testing requirements.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Service Excellence (Goal 1) and Organizational Effectiveness (Goal 3) by having contractors that have the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive manner.

FISCAL IMPACT/FINANCING

There will be no impact on net County cost. The contracts are for an aggregate annual amount not-to-exceed \$1,500,000 plus 25 percent for unforeseen, additional work within the scope of the contracts. This amount is based on Public Works' estimated annual cost to perform these as-needed services. Should additional work be required that exceeds the amount authorized, approval of additional funds will be sought.

Financing for these services is included in various Public Works' Fiscal Year 2007-08 Funds. Funds to finance the contracts' renewal years will be made through Public Works' annual budget process. When the need arises for services under these contracts, we will finance the requested services from the appropriate fund source. Total annual expenditures for these services, however, will not exceed the annual contract amount approved by your Board, and no services will be ordered without the funding authorization of Public Works' Financial Management Branch.

These contracts do not allow for a cost-of-living adjustment for the optional years.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The recommended contractors are American Environmental Testing Laboratory, Inc., (AETL), located in Burbank, California, and Sierra Analytical Labs, Inc., located in Laguna Hills, California. These contracts will commence on August 3, 2007, for a term of two years. With the Board's delegated authority, the Director may renew these contracts with three 1-year renewal options for a total contract period not-to-exceed five years.

Prior to the Director executing the agreements, which will be substantially similar to Attachment A, the contractors will sign and County Counsel will review them as to form.

The recommended contractors are in compliance with the Board, Chief Executive Officer, and County Counsel requirements.

The Director may approve mergers, acquisitions, and other changes of form of entity or assignment in accordance with Board Policy 9.041, Evaluation of Vendors/Contractors Engaged in Mergers or Acquisitions.

These contracts contain terms and conditions supporting Board-sponsored policies, such as contractor responsibility and debarment, jury service requirements, the Safely Surrendered Baby Law, and charitable activities compliance.

Proof of the required Comprehensive General and Automobile Liability insurance policies, naming the County as additional insured, and evidence of Workers' Compensation insurance will be obtained from the contractor before any work is assigned.

As requested by your Board, the contractors have submitted a safety record that reflects its past activities have been conducted according to reasonable standards of safety.

In accordance with the Chief Administrative Officer's June 15, 2001, instructions, this is Public Works' assurance that these contractors will not be requested to perform services that will exceed the contract's approved amount, scope of work, and/or terms.

ENVIRONMENTAL DOCUMENTATION

These services are exempt from California Environmental Quality (CEQA) pursuant to Section 15309 of the State CEQA Guidelines.

CONTRACTING PROCESS

On March 13, 2007, Public Works solicited proposals from 106 independent contractors and community business enterprises to accomplish this work. Also, a notice of the Request for Proposals (RFP) was placed on the County's bid website (Attachment B), and an advertisement was placed in the *Los Angeles Times*.

Pursuant to the applicable memorandum of understanding, the RFP for these contracted services was submitted on March 12, 2007, to the appropriate union for review. The union has not asked to meet with Public Works regarding this solicitation.

On April 10, 2007, two proposals were received. The proposals were first reviewed to ensure they met the mandatory requirements outlined in the RFP. The proposals, having met these requirements, were then evaluated by an evaluation committee consisting of Public Works staff. The committee's evaluation was based on criteria described in the RFP, which included the price, references, equipment, supervision and personnel, on-site inspection of the stationary lab, and mobile lab inspection. Based on this evaluation, it is recommended that these contracts be awarded to the both highly rated, responsive, and responsible proposers, AETL, located in Burbank, California, and Sierra Analytical Labs, Inc., located in Laguna Hills, California.

Attachment C reflects the proposers' minority participation. The contractors were selected upon final analysis and consideration without regard to race, creed, gender, or color.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended contracts, which are for services required on an as-needed and intermittent basis; hence, these contracts are not Proposition A contracts (Los Angeles County Code Chapter 2.121).

IMPACT ON CURRENT SERVICES (OR PROJECTS)

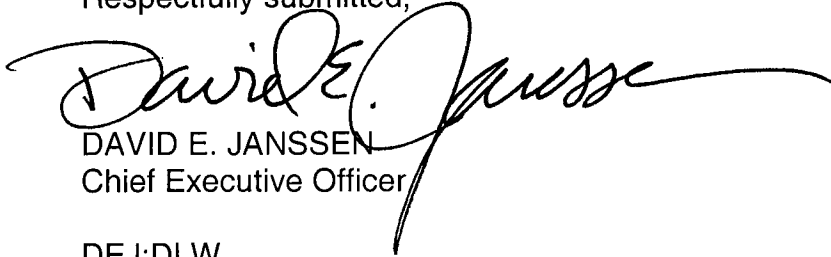
The award of these contracts will not result in the displacement of any County employees.

The Honorable Board of Supervisors
July 17, 2007
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CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works,
Administrative Services Division.

Respectfully submitted,

A handwritten signature in black ink, reading "David E. Janssen", with a long horizontal flourish extending to the right.

DAVID E. JANSSEN
Chief Executive Officer

DEJ:DLW
GZ:dw

Attachments (3)

c: County Counsel
Department of Public Works (Geotechnical and Materials Engineering)

SAMPLE AGREEMENT FOR
AS-NEEDED ENVIRONMENTAL LABORATORY SERVICES

THIS AGREEMENT, made and entered into this ____ day of _____, 2007, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and [NAME OF CONTRACTOR], a [Form of Entity], (hereinafter referred to as CONTRACTOR).

WITNESSETH

FIRST: The CONTRACTOR, for the consideration hereinafter set forth and the acceptance by the Board of Supervisors of said COUNTY of the CONTRACTOR'S Proposal filed with the COUNTY on April 10, 2007, hereby agrees to provide services as described in the attached specifications for As-Needed Environmental Laboratory Services, including, but not limited to, Exhibit A, Scope of Work.

SECOND: This AGREEMENT, together with Exhibit A, Scope of Work; Exhibit B, Service Contract General Requirements; Exhibit C, Internal Revenue Service Notice 1015; Exhibit D, Safely Surrendered Baby Law Posters; Exhibit E, Proposal Compliance Form; the CONTRACTOR'S Proposal, all attached hereto; the Request for Proposals; and Addenda to the Request for Proposals, all of which are incorporated herein by reference, are agreed by the COUNTY and the CONTRACTOR to constitute the Contract Documents.

THIRD: The COUNTY agrees, in consideration of satisfactory performance of the foregoing services in strict accordance with the Contract specifications to the satisfaction of the Director of Public Works, to pay the CONTRACTOR pursuant to the Schedule of Prices set forth in the Proposal and attached hereto as Form PW-2 or as prices quoted by the contractor on individually bid projects, provided the quoted prices are not greater than corresponding prices listed in the Schedule of Prices. In no event will the COUNTY pay any and all contractors providing service under this Program an aggregate annual amount to exceed \$1,500,000 (Maximum Contract Sum), or such greater amount as the Board may approve.

FOURTH: The COUNTY will assign work based on Exhibit A, Scope of Work, Paragraph D, Assignment of Work, which reads as follows:

"Once a new project is identified, all Contractors will be asked to submit a bid for the project. The rates cannot exceed what is listed under Form PW-2, Schedule of Prices, but can be lower, depending on the project. The lowest bid will typically be assigned the work, unless the project is time sensitive, in which case the work will be assigned to the company the County determines to be best able to complete the project at the County's required time frame. Any tests not listed on Form PW-2 will be paid at the company's published rates or competitive bid price.

In emergency situations, the County reserves the right to obtain a single bid from the Contractor of its choice to meet project requirements.

The County reserves the right to determine if any work is or will be needed under this Contract, at the County's sole and absolute discretion. The Contractor will not be entitled to any claim for loss profits or otherwise should the County fail to determine a need for services under this Contract."

Notwithstanding the foregoing, the parties understand and agree that this Contract is nonexclusive, the COUNTY may enter into other contracts for the performance of the same or similar services, and the CONTRACTOR is not entitled to or guaranteed the assignment of any work hereunder.

FIFTH: This Contract's initial term shall be for a period of two years commencing on August 3, 2007. At the discretion of the COUNTY, this Contract may be extended in increments of one year, not to exceed a total contract period of five years. The COUNTY, acting through the Director, may give a written notice of intent to extend this Contract at least 30 days prior to the end of each term.

SIXTH: The CONTRACTOR shall bill monthly, in arrears, for the work performed during the preceding month. Prices will be based on the submitted prices as listed in Form PW-2, Schedule of Prices or as prices quoted by the CONTRACTOR on individually bid projects, provided the quoted prices are not greater than corresponding prices listed in the Schedule of Prices.

SEVENTH: Public Works will make payment to the CONTRACTOR within 30 days of receipt and approval of a properly completed invoice. Each invoice shall be in triplicate (original and two copies) and shall itemize the work completed. The invoices shall be submitted to:

County of Los Angeles Department of Public Works
Attention Fiscal Division, Accounts Payable
P.O. Box 7508
Alhambra, CA 91802-7508

EIGHTH: In no event shall the aggregate total amount of compensation paid to any and all contractors under this Program exceed the amount of compensation authorized by the Board. Such aggregate total amount is the Maximum Contract Sum.

NINTH: The CONTRACTOR understands and agrees that only the designated Public Works Contract Manager is authorized to request or order work under this Contract. The CONTRACTOR acknowledges that the designated Contract Manager is not authorized to request or order any work that would result in the CONTRACTOR earning an aggregate compensation in excess of this Contract's Maximum Contract Sum.

TENTH: The CONTRACTOR shall not perform or accept work requests from the Contract Manager or any other person that will cause the Maximum Contract Sum of this Contract to be exceeded. The CONTRACTOR shall monitor the balance of this Contract's Maximum Contract Sum. When the total of the CONTRACTOR'S paid invoices, invoices pending payment, invoices yet to be submitted, and ordered services reaches 75 percent

of the Maximum Contract Sum, the CONTRACTOR shall immediately notify the Contract Manager in writing. The CONTRACTOR shall send written notification to the Contract Manager when this Contract is within six months from expiration of the term as provided for hereinabove.

ELEVENTH: No cost-of-living adjustments shall be granted for the optional renewal periods.

TWELFTH: In the event that terms and conditions, which may be listed in the CONTRACTOR'S Proposal, conflict with the COUNTY'S specifications, requirements, and terms and conditions as reflected in this AGREEMENT, including, but not limited to, Exhibits A through D, inclusive, the COUNTY'S provisions shall control and be binding.

THIRTEENTH: The CONTRACTOR agrees in strict accordance with the Contract specifications and conditions to meet the COUNTY'S requirements.

FOURTEENTH: This Contract constitutes the entire agreement between the COUNTY and the CONTRACTOR with respect to the subject matter of this Contract and supersedes all prior and contemporaneous agreements and understandings.

[illegible]

IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By _____
Deputy

[NAME OF CONTRACTOR]

By _____
Its President

Type or Print Name

By _____
Its Secretary

Type or Print Name

Bid Detail Information

Bid Number : PW-ASD 657
Bid Title : As-Needed Environmental Laboratory Services (2007-AN017)
Bid Type : Service
Department : Public Works
Commodity : CHEMICAL SAMPLING & PREPARATION SERVICES
Open Date : 3/13/2007
Closing Date : 3/27/2007 1:00 PM
Bid Amount : \$ 1.50
Bid Download : Not Available
Bid Description : PLEASE TAKE NOTICE that Public Works requests proposals for a contract for the As-Needed Environmental Laboratory Services (2007-AN017). The total aggregate annual contract amount of this service is estimated to be \$1.5 million. If not enclosed with this letter, the Request for Proposals (RFP) with contract specifications, forms, and instructions for preparing and submitting proposals may be requested by accessing this link at <ftp://dpwftp.co.la.ca.us/solicitationdocuments/EnvironmentalLabServices.pdf> or from Ms. Lorena Calderon at (626) 458 4169, Monday through Thursday, 7 a.m. to 5 p.m.

Minimum Requirement(s): Proposers and subcontractors must meet all minimum requirements set forth in the RFP document. Proposers and subcontractors must supply all requested documentation that substantiates how they comply with the requirements listed in Form PW-13.

A Proposers' Conference will be held on Tuesday, March 27, 2007, at 1 p.m. at Public Works Headquarters, 900 South Fremont Avenue, Alhambra, California 91803, in Conference Room B. ATTENDANCE BY THE PROPOSER OR AN AUTHORIZED REPRESENTATIVE AT THE CONFERENCE IS MANDATORY. Public Works will reject proposals from those whose attendance at the Conference cannot be verified. Attendees should be prepared to ask questions at that time about the specifications, proposal requirements, and contract terms. After the Conference, it may be impossible to respond to further requests for information.

The deadline to submit proposals is Tuesday, April 10, 2007 at 5:30 p.m. Please direct your questions to Ms. Calderon at the number above.

Contact Name : Lorena Calderon
Contact Phone# : (626) 458-4169
Contact Email : lcalderon@dpw.lacounty.gov
Last Changed On : 3/12/2007 5:38:09 PM

[Back to Last Window](#)

FORM PW-9

County of Los Angeles
Request for Local Small Business Enterprise (SBE) Preference Program Consideration and
CBE Firm/Organization Information Form

All proposers responding to the Request for Proposals must complete and return this form for proper consideration of the proposal.

FIRM NAME: American Environmental Testing Laboratory, Inc.

My County (WebVen) Vendor Number:

I. LOCAL SMALL BUSINESS ENTERPRISE PREFERENCE PROGRAM:

☐ I AM NOT A Local SBE certified by the County of Los Angeles Office of Affirmative Action Compliance as of the date of this proposal/bid's submission.

☒ I AM

☒ As an eligible Local SBE, I request this proposal/bid be considered for the Local SBE Preference.

II. FIRM/ORGANIZATION INFORMATION: The information requested below is for statistical purposes only. On final analysis and consideration of award, contractor/vendor will be selected without regard to race/ethnicity, color, religion, sex, national origin, age, sexual orientation or disability.

Business Structure:	<input type="checkbox"/> Sole	<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Nonprofit	<input type="checkbox"/> Franchise	
<input type="checkbox"/> Other (Please Specify):						
Total Number of Employees (including owners):		31				
Race/Ethnic Composition of Firm. Please distribute the above total number of individuals into the following categories:						
Race/Ethnic Composition	Owners/Partners/Associate Partners		Managers		Staff	
	Male	Female	Male	Female	Male	Female
Black/African American					1	
Hispanic/Latino					1	
Asian or Pacific Islander			1		3	2
American Indian						
Filipino						
White	3		2		12	7

III. PERCENTAGE OF OWNERSHIP IN FIRM: Please indicate by percentage (%) how ownership of the firm is distributed.

	Black/African American	Hispanic/ Latino	Asian or Pacific Islander	American Indian	Filipino	White
Men	3 %	3 %	13 %	0 %	0 %	39 %
Women	0 %	0 %	6 %	0 %	0 %	22 %

IV. CERTIFICATION AS MINORITY, WOMEN, DISADVANTAGED, AND DISABLED VETERAN BUSINESS ENTERPRISES: If your firm is currently certified as a minority, women, disadvantaged or disabled veteran owned business enterprise by a public agency, complete the following and attach a copy of your proof of certification. (Use back of form, if necessary.)

Agency Name	Minority	Women	Disadvantaged	Disabled Veteran	Expiration Date

V. DECLARATION: I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Authorized Signature: <i>C. Raymond</i>	Title: Laboratory Director	Date: 04-06-2007
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FORM PW-9

County of Los Angeles Request for Local Small Business Enterprise (SBE) Preference Program Consideration and SBE Firm/Organization Information Form

All proposers responding to the Request for Proposals must complete and return this form for proper consideration of the proposal.

FIRM NAME: *SIERRA ANALYTICAL LABS, INC.*

My County (WebVen) Vendor Number: *05923901*

I. **LOCAL SMALL BUSINESS ENTERPRISE PREFERENCE PROGRAM:**

☒ I AM NOT A Local SBE certified by the County of Los Angeles Office of Affirmative Action Compliance as of the date of this proposal/bid's submission. *STATE CERTIFIED, NOT L.A. COUNTY*
☒ I AM
☒ As an eligible Local SBE, I request this proposal/bid be considered for the Local SBE Preference.

II. **FIRM/ORGANIZATION INFORMATION:** The information requested below is for statistical purposes only. On final analysis and consideration of award, contractor/vendor will be selected without regard to race/ethnicity, color, religion, sex, national origin, age, sexual orientation or disability.

Business Structure:	<input type="checkbox"/> Sole	<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Nonprofit	<input type="checkbox"/> Franchise	
<input type="checkbox"/> Other (Please Specify):						
Total Number of Employees (including owners): <i>SIXTEEN (16)</i>						
Race/Ethnic Composition of Firm. Please distribute the above total number of individuals into the following categories:						
Race/Ethnic Composition	Owner/Partners/Associate Partners		Manager		Staff	
	Male	Female	Male	Female	Male	Female
Black/African American						
Hispanic/Latino					<i>2</i>	
Asian or Pacific Islander			<i>1</i>		<i>1</i>	
American Indian						
Filipino						
White	<i>100</i>		<i>2</i>	<i>3</i>	<i>5</i>	<i>1</i>

III. **PERCENTAGE OF OWNERSHIP IN FIRM:** Please indicate by percentage (%) how ownership of the firm is distributed.

	Black/African American	Hispanic/ Latino	Asian or Pacific Islander	American Indian	Filipino	White
Men	%	%	%	%	%	<i>100</i> %
Women	%	%	%	%	%	%

IV. **CERTIFICATION AS MINORITY, WOMEN, DISADVANTAGED, AND DISABLED VETERAN BUSINESS ENTERPRISES:** If your firm is currently certified as a minority, women, disadvantaged or disabled veteran owned business enterprise by a public agency, complete the following and attach a copy of your proof of certification. (Use back of form, if necessary.)

Agency Name	Minority	Women	Disadvantaged	Disabled Veteran	Expiration Date
<i>N/A</i>					

V. **DECLARATION:** I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Authorized Signature: <i>Richard E. Fryer</i>	Title: <i>LAB DIRECTOR / PRES.</i>	Date: <i>4-10-07</i>
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